

**To:** Diamond, Jane[Diamond.Jane@epa.gov]; Kemmerer, John[KEMMERER.JOHN@EPA.GOV]  
**Cc:** Maier, Brent[Maier.Brent@epa.gov]  
**From:** Rao, Kate  
**Sent:** Mon 2/23/2015 4:37:31 PM  
**Subject:** FW: (Ca Senate Bill 248) Pavley Calls for Greater Scrutiny of Gas, Oil Injection Wells

Jane/John – Forwarding this to you as I know you just met with Pavley's staff on water reuse. Thought you would like to see this.

Kate

\*\*\*\*\*  
Kate Rao  
Drinking Water Protection Section (WTR 3-2)  
USEPA Region 9  
75 Hawthorne St., San Francisco, CA 94105  
tel: (415) 972-3533 / fax: (415) 947-3549

**From:** Robin, George  
**Sent:** Monday, February 23, 2015 7:20 AM  
**To:** R9-Deep  
**Cc:** Robin, George; Rao, Kate  
**Subject:** (Ca Senate Bill 248) Pavley Calls for Greater Scrutiny of Gas, Oil Injection Wells

fyi, as courtesy, I pasted the text

<http://scvnews.com/2015/02/20/pavley-calls-for-greater-scrutiny-of-gas-oil-injection-wells/>

## SCVNews.com | Pavley Calls for Greater Scrutiny of Gas, Oil Injection Wells

[Sen. Pavley] – State Sen. Fran Pavley, whose district includes about half of the Santa Clarita Valley, introduced legislation this week that calls for more comprehensive and transparent reporting of oil and gas well drilling activity. This is the first step in addressing the serious deficiencies identified in how, for example, post-drilling wastewater is disposed of in underground wells.

As California's oil and gas fields age, the use of injection wells to help maintain oil and gas production has significantly increased. The Division of Oil, Gas and Geothermal Resources is the state's regulator of all oil and gas-related wells, including injection wells through an agreement with the U.S. Environmental Protection Agency (EPA). Injection wells include pressure maintenance wells to prevent subsidence and earthquakes, and oil and gas wastewater disposal wells. Recently, grave doubts have been raised about DOGGR's performance implementing the injection well or class II Underground Injection Control (UIC) program.

**(Related: [WATCH this video](#) to see how fracking works)**

In 2011, the U.S. EPA received results of an audit of DOGGR's implementation of the injection well program that highlighted numerous problems. The audit found that state regulators were not in compliance with federal laws and regulations intended to protect underground drinking water from possible contamination with oil and gas drilling waste. In the last few months it has become clear that California's regulators have been authorizing oil companies to inject liquids and waste into federally protected aquifers more than 2,500 times, according to a review of DOGGR's records at U.S EPA's request. Concerns have been raised that this injected wastewater presents a huge risk of contaminating underground water supplies used for drinking and irrigation, regardless of DOGGR's statutory requirement to protect natural resources, public health and good quality groundwater.

Pavley's bill, Senate Bill 248, will address these serious deficiencies recently identified in DOGGR's implementation of the UIC well program, thereby ensuring the state's drinking water sources are protected from oil and gas well wastewater disposal and the public and environmental health is protected.

SB 248 will require full reporting of any activity or injection into an oil or gas well to keep the process fully transparent and the data readily available to the public and regulators. Historically only select information about the drilling, reworking, and maintenance of oil and gas wells was required to be reported to DOGGR. This lack of long-term data has, for example, hampered the work of an independent science study team's analysis of hydraulic fracturing (fracking) in California (as required by SB 4), which became clear from the team's testimony on February 11, 2015, at the Senate Natural Resources and Water Committee's implementation oversight hearing on fracking regulations. More generally, however, if the state regulator has no or limited information about oil and gas field activities, the ability of the regulator to fulfill all of its mission is potentially severely compromised.

Senate Bill 4 (authored by Senator Pavley) required that as of the beginning of 2014 oil companies would not be allowed to frack or acidize a well in California unless they notified neighbors in the area in advance, provided an opportunity for the neighbors to have their ground and surface waters tested before and after fracking, and disclosed the chemicals and the amount and source of water used in the fracking process, among other restrictions. Her successful bill was the first to provide greater transparency, accountability, and protection of the public and the environment in a significant practice to facilitate oil production. In fact it was the implementation of SB 4 that prompted the review of groundwater quality in the vicinity of the state's oil and gas fields that led to the discovery of DOGGR's substandard approval practices for injection wells.

"SB 248 sends a clear signal that California intends to closely monitor all oil and gas well activity, which will be completely transparent to the public," Pavley said. "Regulatory accountability is essential and will help us make sure the safety of the state's drinking water supply is preserved."

"The injection of oil and gas wastewater and other fluids is a direct threat to our already depleted

aquifers,” said Andrew Grinberg, Clean Water Action’s oil and gas program manager. “In the midst of this historic drought, protecting groundwater from oil and gas development should be a top priority of the state. SB 248 will provide long overdue reform to the oil and gas industry and help ensure the safety of drinking and irrigation water for all Californians.”

Together with the Senate Committee on Environmental Quality, the Senate Committee on Natural Resources and Water, which Pavley chairs, will hold an oversight hearing on March 10, 2015, in the State Capitol. The primary focus will be on DOGGR’s implementation of the Underground Injection Control Well Program.